

section is subject to the exercise of primary jurisdiction for the investigation of a death—

- (A) in the case of a death in a State, by the State or a local government of the State; or
 (B) in the case of a death in a foreign country, by that foreign country under any applicable treaty, status of forces agreement, or other international agreement between the United States and that foreign country.

(2) Paragraph (1) does not limit the authority of the Armed Forces Medical Examiner to conduct a forensic pathology investigation of a death that is subject to the exercise of primary jurisdiction by another sovereign if the investigation by the other sovereign is concluded without a forensic pathology investigation that the Armed Forces Medical Examiner considers complete. For the purposes of the preceding sentence a forensic pathology investigation is incomplete if the investigation does not include an autopsy of the decedent.

(e) PROCEDURES.—For a forensic pathology investigation under this section, the Armed Forces Medical Examiner shall—

- (1) designate one or more qualified pathologists to conduct the investigation;
- (2) to the extent practicable and consistent with responsibilities under this section, give due regard to any applicable law protecting religious beliefs;
- (3) as soon as practicable, notify the decedent's family, if known, that the forensic pathology investigation is being conducted;
- (4) as soon as practicable after the completion of the investigation, authorize release of the decedent's remains to the family, if known; and
- (5) promptly report the results of the forensic pathology investigation to the official responsible for the overall investigation of the death.

(f) DEFINITION OF STATE.—In this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

(Added Pub. L. 106-65, div. A, title VII, §721(a), Oct. 5, 1999, 113 Stat. 692.)

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Sec.	
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AMENDMENTS

2001—Pub. L. 107-107, div. A, title X, §1048(a)(14), Dec. 28, 2001, 115 Stat. 1223, transferred subchapter II heading so as to appear before the table of sections for that subchapter.

1999—Pub. L. 106-65, div. A, title VII, §721(c)(1), Oct. 5, 1999, 113 Stat. 694, inserted "SUBCHAPTER II—DEATH BENEFITS" before section 1475 of this title.

Pub. L. 106-65, div. A, title V, §578(k)(2)(A), Oct. 5, 1999, 113 Stat. 631, substituted "Funeral honors functions at funerals for veterans" for "Honor guard details at funerals of veterans" in item 1491.

1998—Pub. L. 105-261, div. A, title V, §567(b)(2), Oct. 17, 1998, 112 Stat. 2031, added item 1491.

1994—Pub. L. 103-337, div. A, title X, §1070(a)(8)(B), Oct. 5, 1994, 108 Stat. 2855, substituted "civilian" for "Civilian" in item 1482a.

1993—Pub. L. 103-160, div. A, title III, §368(b), Nov. 30, 1993, 107 Stat. 1634, added item 1482a.

1991—Pub. L. 102-190, div. A, title VI, §626(b)(2), Dec. 5, 1991, 105 Stat. 1380, substituted "Transportation of remains: certain retired members and dependents who die in military medical facilities" for "Transportation of remains of members entitled to retired or retainer pay who die in a military medical facility" in item 1490.

1983—Pub. L. 98-94, title X, §1032(a)(2), Sept. 24, 1983, 97 Stat. 672, added item 1490.

1980—Pub. L. 96-450, title IV, §403(b)(2), Oct. 14, 1980, 94 Stat. 1979, added item 1489.

1965—Pub. L. 89-150, §1(2), Aug. 28, 1965, 79 Stat. 585, struck out " ; death while outside United States" from item 1485.

1958—Pub. L. 85-861, §1(32)(B), (C), Sept. 2, 1958, 72 Stat. 1455, struck out "CARE OF THE DEAD" from chapter heading, and added items 1475 to 1480.

§ 1475. Death gratuity: death of members on active duty or inactive duty training and of certain other persons

(a) Except as provided in section 1480 of this title, the Secretary concerned shall have a death gratuity paid to or for the survivor prescribed by section 1477 of this title, immediately upon receiving official notification of the death of—

(1) a member of an armed force under his jurisdiction who dies while on active duty or while performing authorized travel to or from active duty;

(2) a Reserve of an armed force who dies while on inactive duty training (other than work or study in connection with a correspondence course of an armed force or attendance, in an inactive status, at an educational institution under the sponsorship of an armed force or the Public Health Service);

(3) any Reserve of an armed force who, when authorized or required by an authority designated by the Secretary, assumed an obligation to perform active duty for training, or inactive duty training (other than work or study in connection with a correspondence course of an armed force or attendance, in an inactive status, at an educational institution, under the sponsorship of an armed force or the Public Health Service), and who dies while traveling directly to or from that active duty for training or inactive duty training or while staying at the Reserve's residence, when so au-